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September 17, 1992

186557



Molly Hall, Esq.
 Environment and Natural
 Resources Division
 U.S. Department of Justice
 10th St. and Pennsylvania Ave., N.W.
 Washington, D.C. 20530

Re: United States v. Mass Merchandisers, Inc.
 No. 91-3094 (W. D. Ark.)

Dear Molly:

I am writing to confirm our conversations regarding the Consent Decree in this action. The Consent Decree originally lodged with the Court did not include Exhibits A, B, or C. Moreover, the decree lodged with the Court omitted certain language that the parties agreed to include at page 58.

Mass Merchandisers, Inc. would like to correct these omissions by joint motion. I have discussed the matter with the law clerk in Judge Waters' chambers who is responsible for the case. She confirmed that the matter could properly be addressed by joint motion.

In our discussions I agreed to prepare a draft joint motion and order for your consideration. I have done so, and a copy is enclosed for your review. In hopes that the draft joint motion and order will meet with your approval, I have arranged to have an original of the motion and order hand delivered to you today. If the motion and order are acceptable, please execute and return them to me by Federal Express. I will see to the appropriate filing.

After you have had a chance to review the draft motion and order, I will give you a call to discuss this matter. As I

MITCHELL, WILLIAMS, SELIG, GATES & WOODYARD

Molly Hall, Esq.
September 17, 1992
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indicated in our conversations yesterday, we need to move expeditiously on any joint motion. I want to be in a position to file the joint motion not later than Monday, September 21, 1992, because of the ten-day deadline for an unilateral motion to amend the judgment under F. R. Civ. P. 59.

Thank you again for your cooperation in this matter.

Very truly yours,

MITCHELL, WILLIAMS, SELIG
GATES & WOODYARD

By *Allan Gates /g*
Allan Gates

AG:gs
Enclosures

cc: Dinah L. Szander
Jean Mescher
Bob Barker
Rachel Blumenfeld